

September 19, 2017

**MINUTES OF MECKLENBURG COUNTY, NORTH CAROLINA
BOARD OF COUNTY COMMISSIONERS**

The Board of Commissioners of Mecklenburg County, North Carolina, met in Informal Session in the Meeting Chamber Conference Room of the Charlotte-Mecklenburg Government Center located at 600 East Fourth Street, Charlotte, North Carolina at 5:00 p.m. and in Formal Session in the Meeting Chamber of the Charlotte-Mecklenburg Government Center at 6:00 p.m. on Tuesday, September 19, 2017.

ATTENDANCE

Present: Chair Ella B. Scarborough and Commissioners
Dumont Clarke, Patricia "Pat" Cotham, George Dunlap,
Trevor M. Fuller, Bill James, Vilma D. Leake,
Jim Puckett, and Matthew Ridenhour
County Manager Dena R. Diorio
County Attorney Marvin A. Bethune
Clerk to the Board Janice S. Paige

Absent: None

-INFORMAL SESSION-

Commissioners Clarke, Dunlap, Leake, and Puckett were absent when the meeting was called to order and until noted in the minutes.

The meeting was called to order by Chair Scarborough, after which the matters below were addressed.

REMOVAL OF ITEMS FROM CONSENT

The Board identified item(s) to be removed from Consent and voted upon separately. The items were 17-4192, 17-4222, 17-4224, 17-4226, and 17-4253.

STAFF BRIEFINGS NONE

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CLOSED SESSION

17-4233 CONSULT WITH ATTORNEY
17-4238 REAL ESTATE ACQUISITION

Motion was made by Commissioner Cotham, seconded by Commissioner Ridenhour and carried 5-0 with Commissioners Cotham, Fuller, James, Ridenhour and Scarborough voting yes, to go into Closed Session for the following purpose(s): Consult with Attorney and Real Estate Acquisition with respect to property located in the Eastway & N. Tryon street area.

The Board went into Closed Session at 5:27 p.m. and came back into Open Session at 5:58 p.m.

Commissioners Clarke, Dunlap, Leake, and Puckett were present when the Board came back into Open Session. They entered the meeting during Closed Session.

The Board then proceeded to the Meeting Chamber for the remainder of the meeting.

-FORMAL SESSION-

Chair Scarborough called this portion of the meeting to order which was followed by invocation by Commissioner Ridenhour, the Pledge of Allegiance to the Flag and introductions; after which, the matters below were addressed.

PUBLIC APPEARANCE

17-4231 PUBLIC APPEARANCE

No one appeared to speak during the Public Appearance portion of the agenda.

Allen Lunn was registered to speak but did not appear.

AWARDS/RECOGNITION

17-4253 NATIONAL SUICIDE PREVENTION MONTH SEPTEMBER 2017

Motion was made by Commissioner Cotham, seconded by Commissioner Ridenhour and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to adopt a Proclamation declaring September 2017 as National Suicide Prevention Month in Mecklenburg County.

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The Proclamation was read by Commissioners Cotham and Ridenhour and received by Amanda Park, Keyon Lewis, and Kimberly Roberts, members of the American Foundation for Suicide Prevention Charlotte Out of the Darkness Walk leadership team.



APPOINTMENTS

17-4227 APPOINTMENTS

LAKE NORMAN MARINE COMMISSION

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The vote was taken on the following nominees for appointment to the Lake Norman Marine Commission:

Dennis Eddinger	Commissioners Clarke, Cotham, Dunlap, James, Puckett, Ridenhour, and Scarborough
Paula Martin	Commissioners Fuller and Leake

Chair Scarborough announced the appointment of Dennis Eddinger to the Lake Norman Marine Commission for a five-year term expiring September 30, 2022, effective October 1, 2017.

17-4228 REAPPOINTMENTS/NOMINATIONS/APPOINTMENTS

BUILDING DEVELOPMENT COMMISSION

Motion was made by Commissioner Puckett, seconded by Commissioner James and failed 8-1 with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Puckett, Ridenhour and Scarborough voting yes, and Commissioner Leake voting no, to waive the Board's term limit policy and reappoint John Taylor to the Building Development Commission as the Associated Builder & Contractor Carolina Chapter representative for a three-year term expiring September 30, 2020.

Note: This matter will be on the Board's October 3, 2017 agenda because it requires a unanimous vote for someone to be reappointed when first presented for consideration. Mr. Taylor was willing to serve another term, since there were no applicants to fill his slot.

CHARLOTTE-MECKLENBURG COMMUNITY RELATIONS COMMITTEE

Motion was made by Commissioner Puckett, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to reappoint Kelvin Brim, George Dortche, and Kristle Lee to the Charlotte-Mecklenburg Community Relations Committee for three-year terms expiring September 30, 2020.

Motion was made by Commissioner Puckett, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to nominate and appoint Daniel Vicario to the Charlotte-Mecklenburg Community Relations Committee for a three-year term expiring September 30, 2020.

Note: He replaces Larry Edwards.

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LAKE WYLIE MARINE COMMISSION

Motion was made by Commissioner Puckett, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to reappoint Peter Hegarty to the Lake Wylie Marine Commission for a three-year term expiring September 30, 2020.

Motion was made by Commissioner Puckett, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to nominate and appoint Daniel Mullane and C. Hunter Wilson to the Lake Wylie Marine Commission for three-year terms expiring September 30, 2020.

Note: They replace Tim Mead and Lynn Smith.

NURSING HOME COMMUNITY ADVISORY COMMITTEE

Motion was made by Commissioner Puckett, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to waive the Board's term limit policy and reappoint Larry Blakeney, Jeffrey Giddens, Deborah Kennedy, and Peco McKoy to the Nursing Home Community Advisory Committee for three-year terms expiring September 30, 2020.

Note: They were all willing to serve another term, since there were no applicants to fill their slots.

PARK AND RECREATION COMMISSION

The following persons were nominated for appointment consideration to the Park and Recreation Commission:

Anita Brown	by Commissioner Puckett
Blanche Penn	by Commissioner Cotham

Note: An appointment will be made on October 3, 2017.

PUBLIC HEARINGS

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17-4229 BUSINESS INVESTMENT GRANT: ALLSTATE INSURANCE COMPANY

Motion was made by Commissioner Puckett, seconded by Commissioner Ridenhour and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to open the public hearing to receive comments on a proposed Business Investment Program grant to Allstate Insurance Company (Allstate).

Director of Economic Development Peter Zeiler addressed the proposed Business Investment Grant.

A copy of the presentation is on file with the Clerk to the Board.

No one appeared to speak.

Motion was made by Commissioner Dunlap, seconded by Commissioner Puckett and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to close the public hearing on a proposed Business Investment Program grant to Allstate Insurance Company (Allstate).

Motion was made by Commissioner Dunlap, seconded by Commissioner Fuller and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to adopt a resolution approving a Business Investment Program grant to Allstate for a total estimated amount of \$701,486 and authorize the County Manager to negotiate and execute the contract.

**MECKLENBURG COUNTY BOARD OF COMMISSIONERS
RESOLUTION
APPROVING BUSINESS INVESTMENT PROGRAM GRANT
FOR ALLSTATE INSURANCE COMPANY**

WHEREAS, Allstate Insurance Company is seeking to establish a new operations center in Charlotte, NC; and

WHEREAS, the company evaluated sites in Lincoln, Nebraska; Irving, Texas; and Boise, Idaho; and

WHEREAS, this project as described by the company was determined to meet all of the criteria for a Business Investment Program grant from the City of Charlotte and the County of Mecklenburg, the Board of Commissioners voted its intent to provide a Business Investment Program grant to the company during a closed session meeting on August 02, 2017 and as authorized by the Board, the County communicated this information to the company; and

WHEREAS, taking into consideration the Board's stated intent to make an economic development grant, the company subsequently decided to expand in Charlotte. The project will include a capital investment of approximately \$34.75 million and will create 2,000 new jobs within five years at an average annual salary of

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approximately \$46,813. The Business Investment Program grant is a 50% grant over 5 years, with an estimated total amount of up to \$701,986. The grant will be subject to the County's standard contract provisions, including compliance requirements for the company related to job creation targets and clawback provisions; and

WHEREAS, Mecklenburg County Board of Commissioners has determined that this grant will provide new employment, new taxable property and new economic activity within the County, now, therefore, be it

RESOLVED that the Board of County Commissioners does hereby approve the Business Investment Program grant and Economic Development grant as described above, and authorizes the County Manager to execute a contract for the same, with any necessary or helpful nonmaterial changes.

Resolution recorded in full in Minute/Ordinance Book _____, Document # _____.

ADVISORY COMMITTEE REPORTS – NONE

MANAGER'S REPORT

17-4166 CARDINAL INNOVATIONS HEALTHCARE PRESENTATION

The Board received a presentation from Cardinal Innovations Healthcare on Medicaid and State health plans, Medicaid investments, and Community needs and gap analysis.

Cardinal Innovations Healthcare Senior Community Executive Lori Whitson gave the report.

At the conclusion of the report, Ms. Whitson read a Facebook posting, at the request of a mother, who was pleased with the progress that her son had made.

A copy of the report is on file with the Clerk to the Board.

Comments

Commissioner Dunlap, the Board's representative on the Cardinal Innovations Healthcare Solutions Governing Board, thanked Ms. Whitson for the report. Commissioner Dunlap said there were a lot people in the community pleased with the services being provided by Cardinal.

Commissioner Cotham thanked Ms. Whitson for the report and her community engagement.

Commissioner Ridenhour asked what was Cardinal doing with respect to the Opioid epidemic. *Ms. Whitson said their work was in the area of prevention and elaborated.*

Commissioner Leake asked if Cardinal provided any type of quarterly report around changes that may be occurring with respect to the provision of mental health care services and if that

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information was disseminated to the public. *Ms. Whitson addressed Cardinal's education efforts around access to care.*

Commissioner Leake said she hoped Cardinal provided information to the general public in layman terms for a better understanding of their services.

Commissioner James asked was Cardinal required to provide the Board with an annual report. *Ms. Whitson said no, but Cardinal viewed themselves as a community partner. She said Cardinal wanted to use this platform as a means of providing information to the Board and the public regarding their services.*

Commissioner James said he wanted clarity, because he didn't want the public to think that if they had complaints regarding Cardinal, they should contact Board members, except for Commissioner Dunlap perhaps, since he served on Cardinal's Governing Board.

Commissioner James said he wasn't sure why the County had a representative on Cardinal's Board, other than that's the way the state set it up. He said he wasn't opposed to it, but just never understood why.

Commissioner James asked about the map included in the report, as well as, statements regarding budget cuts, and reinvestment of savings to maintain service levels, which was addressed.

Commissioner Dunlap addressed the County's involvement with Cardinal, including having representatives on Cardinal's Oversight Board and what people should do if they have a concern or complaint.

Commissioner Clarke said it would be good to hear from Cardinal's Community Oversight Board, at some point, regarding their role and how they perceived Cardinal's services.

Commissioner Clarke asked about the Consumer Family Advisory Council, which was addressed.

County Manager Diorio said the County worked closely with Cardinal as it related to the County's need for therapeutic foster care residential treatment for children in the custody of Youth and Family Services. She said Cardinal also worked closely with the courts.

County Manager Diorio said Cardinal was a part of the County's continuum of care. She said the County had a "vested" interest in making sure services were provided to the children in the County's care.

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17-4239 AFFORDABLE HOUSING POLICY FOR SURPLUS REAL ESTATE

Senior Assistant to the County Manager Dennis LaCaria addressed a proposed Affordable Housing Policy.

A copy of the presentation is on file with the Clerk to the Board.

Highlights

Support Board and Community Goals

Mecklenburg County seeks to support community goals to provide housing to low-income residents with income at or below 80% of the area median income.

Leverage Private Sale Authority

When making available for sale or lease any surplus real estate which is suitable for mixed-income residential housing, Mecklenburg County may choose to use its private-sale authority.

Require Affordable Housing Development

Through use of its private sale authority, Mecklenburg County shall require prospective buyer(s) to provide a minimum of 10% of all planned residential units to those families and individuals earning income at or below 80% of the current area median income and may choose to sell real estate below market value in order to accomplish this goal.

Comments

Commissioner Dunlap spoke in support of the proposed policy. He commented on the need for mixed income developments.

Commissioner Leake asked about accommodating for low income housing. She said persons that work downtown should be able to live downtown.

Commissioner Leake expressed concern for the City's Government Center custodial staff. She said these persons only made \$7.25 per hour. She said this type of wage sets people up for "welfare."

Commissioner Dunlap noted the study done by the County to assure that all County employees were making a livable wage and they were. He said the employees referenced by Commissioner Leake were contract employees via the City of Charlotte and that the County had no control over their wages.

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Commissioner Leake asked what was the “livable wage” for County employees. *County Manager Diorio said she believed it as \$15 per hour.*

Commissioner James asked what would happen if there was a piece of County property, for example, in the Town of Huntersville and the Board decided it would make a great place for low income housing. He asked would the Town’s approval be required. *Senior Assistant to the County Manager LaCaria explained how the process would work. He said it wouldn’t be the County deciding where to place the affordable housing but the developer. He said the Town would become involved if the property required a rezoning on the developer’s part.*

Commissioner James said he wanted to make sure the Towns understood the components of the policy.

Commissioner Puckett asked could this be done on a case by case basis without the policy. *County Attorney Bethune explained the private sale process.*

Commissioner Puckett said wanting to be a “world class” community comes with a cost, which included driving up land cost. He said he’d like to see a focus on reducing the cost of land. He questioned the use of the term “below market value.”

Commissioner Ridenhour asked about first right of refusal as it related to school property and offered a scenario of what could occur were the policy adopted. *Senior Assistant to the County Manager LaCaria addressed the scenario.*

Commissioner Ridenhour said he agreed with Commissioner Leake’s comment regarding wages. He said stagnant wages was an issue nationwide that needed to be addressed.

Commissioner Ridenhour said providing affordable housing in the community was a tough issue to tackle. He said a policy of this type would “trickle” over into other areas. He said even though the proposed policy was a way to tackle the problem, the “real root” of the problem was whether someone could afford to live somewhere, and if they can’t, then the issue was that they’re not making enough money; which gets back to stagnant wages in the workforce and the need for more training on the part of the employee, to make a higher wage.

Commissioner Clarke spoke in support of the proposed policy. He said it was a clear statement of what the County would do.

Commissioner Fuller said the problem of affordable housing was created because of the market, therefore you can’t depend on the market to “solve the problem.”

Commissioner Fuller said he supported the proposed policy but solving the problem would

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take more than just the policy. He said other tools would have to be used as well, but this was a “good” step.

Commissioner Dunlap said the proposed policy was a good policy, that it was fair and it gave the Board the deciding factor.

Commissioner Ridenhour said the proposed policy would allow the County to take a loss on property.

This concluded the discussion. The above was not inclusive of every comment but was a summary.

Motion was made by Commissioner Dunlap, seconded by Commissioner Fuller and carried 6-3 with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, and Scarborough voting yes and Commissioners James, Puckett, and Ridenhour voting no, to adopt an Affordable Housing Policy for Surplus Reallocate as recommended by staff.

Policy recorded in full in Minute/Ordinance Book _____, Document # _____.

17-4242 CAPITAL IMPROVEMENT PLAN UPDATE

The Board received an update on the FY19 - FY23 Capital Improvement Plan (CIP) from Assistant County Manager/Interim Finance Officer, Mark Foster.

A copy of the report is on file with the Clerk to the Board.

Comments

Commissioner Dunlap asked about debt capacity, which was addressed.

Commissioner James asked about adjustments to the targets/standards to reflect the current environment. *The response was that staff could come back later in the fiscal year with recommendations.*

Commissioner James commented on cash flow.

Commissioner James said if the School Bonds failed, the County could use COPS to handle the immediate needs.

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Commissioner Fuller asked if the information provided took into account revaluation. *The response was no.*

Commissioner Cotham expressed concern for CMS' decision with respect to the new J M Alexander Middle School and whether growth was taken into consideration. Commissioner Cotham said when the new school was built, it was built with only one additional classroom compared to the old school. She asked if the County received specifics from CMS regarding their plans for new schools as it related to seating capacity. *The response was that CMS responds to questions regarding growth but not in the specificity as referenced by Commissioner Cotham. It was noted, also, that CMS had a prioritization process that they use when making decisions with respect to building schools.*

County Manager Diorio said the County was not able to tell CMS how many seats should be in a school. She said that's CMS' area of expertise and not the County's. She said the County relied on CMS to determine their needs and to plan accordingly.

Commissioner Puckett responded to Commissioner Cotham's concern about J M Alexander Middle School. He said CMS did not contact the northern Towns regarding their projected growth in the next three to five years. He said that's why the current bond package was not reflective of what the Towns anticipate with respect to growth.

Commissioner Leake addressed the needs of West Charlotte High School and Bruns Elementary School, thus their inclusion in the bond package.

This concluded the discussion. The above was not inclusive of every comment but was a summary.

17-4244 ETJ POLICING PROJECT

County Manager Diorio gave an update on the Extra Territorial Jurisdiction (ETJ) Policing Project. The following was noted:

- The County was still waiting on data requested from the Charlotte Mecklenburg Police Department (CMPD).
- The CMPD refused to provide the data, which was needed by the consultant in preparing their report.
- County staff would continue to reach out to the CMPD for the data, which the County should be entitled to receive, considering the \$18 million provided to the CMPD for law enforcement service district cost.
- The cost needs to be controlled.

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- If the Towns of Huntersville, Cornelius, and Pineville were backed out of the equation, and the CMPD received the balance, which would be Davidson, Mint Hill, and Charlotte, a 2.5 cents tax increase would be needed to cover the cost. This may not be a sustainable model.
- For FY18, there was a 9% increase in the cost of the contract with the CMPD. This may not be a sustainable model either.
- The County paid for the addition of new officers by the CMPD, however, they currently have 200+ vacancies. Thus, the County was not getting what it paid for because the positions weren't filled.
- A new way of calculating the Law Enforcement Service District tax was needed.
- The current model was not a sustainable model.
- In FY18, \$1.2 million of fund balance was used to help cover the cost, but a tax increase was still required.
- The availability of fund balance was not guaranteed going forward.
- The County still hasn't been told by the CMPD what the actual cost was to provide the service in the ETJ.
- Per the consultants, if the Sheriff's Office provided the service, it would cost \$11.5 million and the County would pay the CMPD \$16.1 million for the same service.
- Service Level data was needed.
- More transparency was needed with respect to how the money was spent by the CMPD.
- Next Steps
 - Ask the City of Charlotte to extend the contract for one year.
 - Move forward with negotiations with the City between now and December 31.
 - If the County was unable to reach an agreement with the City by December 31, then the County would move forward with the Sheriff's Office to provide the service in the ETJ.
 - This would give the Sheriff 18 months to bring up their patrol division, contingent upon the City giving the County the one year extension.
 - A meeting was scheduled with the City on September 21, 2017.
- The County Manager reached out to the City Manager after the Board's September 13, 2017 meeting, when this matter was discussed, but a response had not been received.

Comments

Commissioner Dunlap said if an agreement was reached with the City, it should include a stipulation that as the areas patrolled reduce in size, there be a corresponding reduction in the cost to provide the service.

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Commissioner James said the problem with the model was that the CMPD charged the County based on a percentage of their budget and it's an urban police department. He said suburban areas did not require that level of "intensity."

Commissioner James said the payment model should be based on actual services used.

Commissioner James asked about the Town of Pineville. *County Manager Diorio said the Town of Pineville informed the County that if the County continued with the CMPD, they wanted to patrol their own ETJ. If the County utilizes the Sheriff's Office, then the Town of Pineville would yield to the Sheriff's Office.*

Commissioner Clarke said the discussion with the City of Charlotte going forward would probably be very different versus the past, because the County had a plan that included a dollar amount.

Commissioner Cotham asked about the Sheriff's stance with respect to this issue. *County Manager Diorio said the Sheriff's Office was interested in moving forward, however, there was concern regarding the timeframe to get this accomplished.*

County Manager Diorio said it really depended on whether the City of Charlotte was willing to give the County a one year extension. She said if the City did not agree to a one year extension, she would be back to the Board indicating that a decision was needed much quicker.

Commissioner Puckett thanked Sheriff Carmichael for his willingness to take on this responsibility. He said he did not, however, envision establishing an 8th police division in Mecklenburg County, as a result of terminating the contract with the City of Charlotte.

Commissioner Puckett said what he envisioned when the matter was originally talked about was the Town of Cornelius and Town of Huntersville taking over the policing of their ETJ and the City of Charlotte maintaining the policing of their ETJ; and that if Mint Hill and Pineville wanted to contract with the City of Charlotte they could.

Commissioner Puckett said he did not understand the need for a year delay.

Commissioner Puckett said when the Board voted to end the contract, it was done in order to renegotiate another contract.

Commissioner Puckett concurred with Commissioner Clarke that when the County renegotiates this time, it was a different dynamic.

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Commissioner Puckett said the current tax rate in the ETJ area was based on the old formula of the CMPD policing all the ETJ area.

Commissioner Puckett said he envisioned the Sheriff's Office participation only if the City decided they no longer wanted to provide the service at all. He said if all police divisions within the County decided to handle their own ETJ, then the Sheriff's Office would not have to provide the service.

County Manager Diorio said if the decision was made to go with the Sheriff's Office, things would need to begin October 1, 2017 for the Sheriff's Office to prepare and be ready in 2018.

County Manager Diorio said the issue was not whether the City of Charlotte wanted to continue doing it, but rather would they want to continue based on new terms outlined by the County.

County Manager Diorio said to move forward based on Commissioner Puckett's scenario, the tax rate in the law enforcement service district would have to increase by 2.5 cents to pay for the contract.

County Manager Diorio said when you back out the revenue the City received from the northern towns, the cost to patrol the ETJ was still higher than the revenue that's going to be collected. County Manager Diorio said the tax rate would have to be increased by 2.5 cents just to cover the cost that the County had today.

County Manager Diorio said it would be great if the County and City could come to terms around this, but the status quo would not solve the problem for the long run.

County Manager Diorio said when the Board cancelled the contract, the direction she received from the Board was that the issue needed to be fixed. She said Commissioner Puckett's scenario was not fixing the issue, only placing a "band aid" on it. She said there would be continued discussion around service level and the lack of accountability.

County Manager Diorio commented on the impact of the McGuire plant that's in Huntersville.

County Manager Diorio said if the current formula wasn't changed, the County would continue to find itself in the same position that it had been in for years.

Commissioner Clarke asked was it possible that the County could reach an agreement with the City of Charlotte by December 31. *County Manager Diorio said it was possible, but if an agreement was not reached, the County needed a "back up" plan.*

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This concluded the discussion. The above was not inclusive of every comment but was a summary.

Motion was made by Commissioner Leake, seconded by Commissioner Clarke and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to authorize the County Manager to proceed in accordance with the plan that she presented to the Board at tonight's meeting.

A copy of the report, associated with this item is on file with the Clerk to the Board.

DEPARTMENTAL DIRECTORS' MONTHLY REPORTS

17-4234 FEATURE DEPARTMENT/AGENCY PRESENTATION: MECKLENBURG EMS AGENCY (MEDIC)

The Board received a presentation from MEDIC Executive Director Joe Penner, regarding agency initiatives.

A copy of the presentation is on file with the Clerk to the Board.

Comments

Commissioner Fuller asked about the increase in the need for services, which was addressed.

Commissioner Fuller thanked Director Penner for Medic's recruitment efforts.

Commissioner Ridenhour thanked Medic for its assistance with guiding him through the delivery of his son recently.

STAFF REPORTS & REQUESTS

17-4230 FFY 2016 HUD CONSOLIDATED ANNUAL PERFORMANCE EVALUATION AND REVIEW

The Board received information about the FFY 2016 HUD Consolidated Annual Performance Evaluation and Review in Mecklenburg County from Timmothy Tibbs, Assistant to the County Manager and Victoria Rittenhouse with the Centralina Council of Governments.

A copy of the report is on file with the Clerk to the Board.

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Note: In accordance with the federal regulations found in 24 CFR 570, Mecklenburg County prepared a Consolidated Annual Performance and Evaluation Report (CAPER) for the 2016 Program Year, July 1, 2016 to June 30, 2017. The CAPER highlights the County's progress in carrying out projects and activities pursuant to the PY2016 Annual Action Plan for the Community Development Block Grant (CDBG) funds that were received from the United States Department of Housing and Urban Development (HUD) to principally benefit low- and moderate-income persons in the County. As an Urban County Entitlement designated by HUD, Mecklenburg County received Community Development Block Grant funds annually. The 2016 CAPER describes and evaluates how Mecklenburg County invested formula funds from HUD to meet affordable housing and community development needs. Activities and accomplishments described in this report primarily benefit low- and moderate-income residents, and the County and participating municipalities as a whole. Mecklenburg County received a 2016 CDBG Entitlement allocation of \$744,608. In addition to the entitlement funds, \$22,918 was available for allocation from deobligated funds from closed projects.

Comments

Commissioner Leake asked about work done in the City of Charlotte. *It was explained that the City of Charlotte had its own Community Development Block Grant program and that funding received by the County was only for the unincorporated areas and the towns.*

Commissioner Clarke said retaining affordable housing stock was just as important as building new affordable housing stock.

Chair Scarborough thanked the presenters for the report.

COUNTY COMMISSIONERS REPORTS & REQUESTS

17-4237 AD HOC ADVISORY BOARD REVIEW COMMITTEE REPORT (COMMISSIONER DUNLAP)

Commissioner Dunlap presented the Board's Ad Hoc Advisory Board Review Committee recommendations.

Highlights

Term Changes

Change the terms of the following boards to three-year terms for consistency purposes:

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Architectural Selection Committee; Citizen's Capital Budget Advisory Committee; and Small Business Entrepreneurship Advisory Board.

Dissolve the Board of Motor Vehicle Review and allow the Board of Equalization and Review to hear any appeals that may come about.

Appointment Policy Amendments

Section 2 (D) Nomination Process

Add: Nominees for the Alcoholic Beverage Control Board must complete the "Mecklenburg County Alcoholic Beverage Control Board Nominee Questionnaire" and deliver the completed questionnaire to the Clerk to the Board at least two (2) days before their interview.

Section 5 Attendance Requirement

Change the attendance requirement from 75% to:

Any member who fails during any calendar year to attend 65% of all regularly scheduled committee meetings from the time one's term begins until the end of that calendar year and each subsequent calendar year thereafter, shall be automatically removed from said board. There are no excused absences.

Members cannot miss three consecutive regularly scheduled committee meetings.

Add Three New Sections:

7. Committee Reporting

All Committees must report at least annually to the Board of Commissioners on their activities. Reports can be submitted to the Clerk to the Board for distribution to the Board in writing, or for formal presentation at a regular Board Meeting. The committee's assigned liaison shall work with the Clerk to the Board on establishing the annual reporting schedule.

8. Committee Bylaws

All changes to Committee Bylaws, excluding boards established by legislative authority, must be brought to the Board of Commissioners as a Consent Item for approval. Boards established by legislative authority shall comply with the requirement for change as prescribed by the applicable legislation.

9. Committee Funding

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No Committees can independently raise or solicit funds. If any Advisory Board has a legitimate need, they must go through their aligned Department to request funding. The business reason must align with Department priorities, and will come from the aligned Department's budget.

Motion was made by Commissioner Leake, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve amendments to the Mecklenburg County Board of Commissioners Appointment Policy as recommended.

Policy recorded in full in Minute/Ordinance Book _____, Document # _____.

Motion was made by Commissioner James, seconded by Commissioner Leake and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to adopt resolution dissolving the Mecklenburg County Motor Vehicle Review Board.

**MECKLENBURG COUNTY
BOARD OF COMMISSIONERS
RESOLUTION REGARDING
MOTOR VEHICLE REVIEW BOARD**

WHEREAS, owners of motor vehicles have the right to appeal the assessed values of motor vehicles and/or the eligibility for exemptions or exclusions regarding motor vehicles pursuant to North Carolina General Statute 105-330.2(b1) and (b2); and

WHEREAS, the Mecklenburg County Motor Vehicle Review Board was appointed by the Board of Commissioners pursuant to North Carolina General Statute 105-325.1 to hear and decide appeals arising under North Carolina General Statute 105-330.2(b); and

WHEREAS, the volume of motor vehicle appeals has diminished in recent years; and

WHEREAS, the Assessor has recommended that the Motor Vehicle Review Board be dissolved and that the Mecklenburg County Board of Equalization and Review be appointed to hear and decide appeals arising under North Carolina General Statute 105-330.2(b1) and (b2); now, therefore, be it

RESOLVED that the Mecklenburg County Board of Commissioners does hereby dissolve the Mecklenburg County Motor Vehicle Review Board in its entirety as of this date; and be it

FURTHER RESOLVED that the Mecklenburg County Board of Equalization and Review is hereby appointed pursuant to North Carolina General Statute 105-325.1 with full authority to hear and decide appeals arising under North Carolina General Statute 105-330.2(b1) and (b2).

Resolution recorded in full in Minute/Ordinance Book _____, Document # _____.

Motion was made by Commissioner Leake, seconded by Commissioner James and unanimously

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carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve the ABC Board Nominee Questionnaire as recommended.

A copy of the questionnaire is on file with the Clerk to the Board.

Motion was made by Commissioner Leake, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to change the terms of the following boards to three-year terms for consistency purposes: Architectural Selection Committee; Citizen's Capital Budget Advisory Committee; and Small Business Entrepreneurship Advisory Board.

CONSENT ITEMS

Motion was made by Commissioner Puckett, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve the following item(s):

**17-4170 AMEND AND UPDATE THE LUESA FEE AND BUILDING DEVELOPMENT
ORDINANCE**

Adopt resolution approving amendments/updates to the LUESA Fee Ordinance and to the Building Development Ordinance to sunset the journeyman and licensure program, clarify definitions and address regulatory changes.

MECKLENBURG COUNTY RESOLUTION APPROVING AMENDMENTS TO LUESA FEE ORDINANCE AND TO THE BUILDING-DEVELOPMENT ORDINANCE

WHEREAS, Code Enforcement staff have prepared proposed amendments to the LUESA Fee Ordinance and to the Building-Development Ordinance to modify and clarify definitions and address changes in State legislation and changes in the State Building Code; and

WHEREAS, such changes recognize industry changes in journeyman programs, state licensing requirements and the General Statutes, as well as state inspection requirements, responsibilities, technology; and

WHEREAS, the proposed changes have been recommended by the Building Development Commission at its meeting on August 15, 2017; **now, therefore, be it**

RESOLVED by the Board of Commissioners of Mecklenburg County that the amendments proposed and set forth in the backup information of the meeting at which this Resolution was considered are hereby adopted effective as of the date of adoption of this Resolution; **and be it**

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FURTHER RESOLVED that the Director of Code Enforcement is authorized to renumber the provisions of the Fee Ordinance needed because of the elimination of certain numbered sections and make such other similar non-substantive changes as are necessary to both the Fee Ordinance and the Building-Development Ordinance so as to create final clean versions for posting on the County's web site, with any ambiguity created by this action to be resolved in favor of the provisions of the Ordinances as enacted by the Board of Commissioners.

Resolution/Ordinances recorded in full in Minute/Ordinance Book _____, Document # _____.

17-4209 BUDGET AMENDMENT (LUESA) POSSE – WINCHESTER UPGRADE/TEST ENVIRONMENT

Authorize and appropriate transfer of \$864,487 from the Code Enforcement General Fund Balance Reserve to the Technology Reserve Fund CCET for support and continuing work on POSSE Winchester and Test Environment.

17-4223 BUDGET AMENDMENT – SHERIFF'S OFFICE INMATE RE-ENTRY PROGRAM (REVENUE INCREASE)

Recognize, receive and appropriate \$5,000 to the Sheriff's office from the Charlotte-Mecklenburg faith-based community.

Note: Local churches within the Charlotte-Mecklenburg faith-based community will provide up to \$250 per inmate to the Mecklenburg County Sheriff's Office for inmate re-entry needs. These funds will pay for basic re-entry needs such as residential program rent, fees for birth certificates and records, work boots and/or work clothing, monthly bus passes, identification, etc. Funding these basic needs will provide the inmates with some fundamental necessities in hopes of reducing recidivism, while making an investment in the inmate population. These funds will serve approximately 20 to 30 inmates per year.

17-4225 TAX REFUNDS

1. Approve refunds in the amount of \$18,547.69 for registered motor vehicles as statutorily required to be paid as requested by the County Assessor; and

Note: This Board action is necessary to approve registered motor vehicle tax refunds resulting from clerical errors, value changes and appeals processed in the new statewide vehicle tax system.

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2. Approve refunds in the amount of \$1,512.97 and interest as statutorily required to be paid as requested by the County Assessor.

Note: This Board action is necessary to approve tax refunds resulting from clerical errors, audits and other amendments, including revaluation appeals. Accrued interest is estimated to be \$55.41.

A list of the taxpayer recipients is on file with the Clerk to the Board.

17-4232 MINUTES

Approve Minutes of Regular meeting held September 5, 2017 and Closed Session held September 5, 2017.

17-4240 SOLE SOURCE VENDOR APPROVAL – YSI, INCORPORATED

Approve the purchase of water quality monitoring equipment from YSI, Incorporated as authorized by the sole source exemption of G.S. 143-129(e)(6).

THIS CONCLUDED ITEMS APPROVED BY CONSENT

17-4192 GRANT APPLICATIONS – NCDOT/NORTH CAROLINA BICYCLE AND PEDESTRIAN GRANTS (PARK AND RECREATION)

Motion was made by Commissioner Leake, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve submission of grant applications for up to \$14 million in funding from up to four NCDOT grants or other State agency or federal funding grants for constructing sections of Briar Creek-Little Hope Creek Greenway, Briar Creek Greenway, Irwin Creek Greenway and Walker Branch Creek Greenway.

Commissioner Leake removed this item from Consent for more public awareness.

17-4222 APPOINTMENT OF REVIEW OFFICERS

Motion was made by Commissioner Leake, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour

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and Scarborough voting yes, to amend "Resolution Designating Review Officers to Review Each Map and Plat Recorded in the Register of Deeds Office pursuant to N.C.G.S. 47-30.2" to designate Jennifer Frixen as a Review Officer.

**AMENDMENT TO RESOLUTION DESIGNATING REVIEW OFFICERS
TO REVIEW EACH MAP AND PLAT RECORDED IN THE
REGISTER OF DEEDS OFFICE PURSUANT TO N.C.G.S. 47-30.2**

WHEREAS, on September 16, 1997 the Mecklenburg County Board of Commissioners adopted a resolution entitled "Resolution Designating Review Officers to Review Each Map and Plat Recorded in the Register of Deeds Office Pursuant to N.C.G.S. 47-30.2"; and

WHEREAS, the Resolution has been amended multiple times to accommodate additions and deletions; and

WHEREAS, the Mecklenburg County Board of Commissioners now desires to amend the Resolution to make additional modifications. Now, therefore,

BE IT RESOLVED by the Mecklenburg County Board of Commissioners that the Resolution adopted on September 16, 1997, as amended on prior occasions, be amended and the same hereby is further amended as follows:

1. Jennifer Frixen is hereby designated as Review Officers in addition to those persons so designated in the Resolution of September 16, 1997, and other appointees as amended on prior occasions; thus the Resolution is accordingly amended to add this name.

Resolution recorded in full in Minute/Ordinance Book _____, Document # _____.

Commissioner Leake removed this item from Consent for more public awareness.

17-4224 BUDGET AMENDMENT – SHERIFF’S OFFICE SPECIAL REVENUE FUND (REVENUE INCREASE)

Motion was made by Commissioner Leake, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to:

1. Recognize and appropriate \$151,067 from Inmate Commissary revenue to the Sheriff’s Office Special Revenue Fund;

Note: All funds collected through Jail commissary operations are to be used for inmate education, library and self-sufficiency programs, as well as supplies and equipment to support the programs.

2. Recognize and appropriate \$57,382 from Vocational Facility telephone revenue to the Sheriff’s Office Special Revenue Fund;

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Note: All funds received from 16.8 percent of commissions from the inmate telephone system are to be used for inmate vocational education programs.

3. Recognize and appropriate \$201,011 from concealed handgun permit fees to the Sheriff's Office Special Revenue Fund; and

Note: The Sheriff's Office share of all funds resulting from the issuance of concealed carry permits will be used for law enforcement purposes only. These funds will be used for the purchase of supplies and equipment as necessary.

4. Recognize and appropriate \$30,823 from seized assets to the Sheriff's Office Special Revenue Fund.

Note: Funds are generated from seized assets and will allow the Sheriff's Office to enter into contracts and expend money in accordance with the Special Revenue fund ordinance.

Commissioner Leake removed this item from Consent for more public awareness. She said she'd also be interested in the number of books purchased for educational purposes.

17-4226 BUDGET AMENDMENT – CRIMINAL JUSTICE SERVICES (REVENUE INCREASE)

Motion was made by Commissioner Leake, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to recognize, receive and appropriate additional State revenue in the amount of \$83,000 for Re-Entry Services from the North Carolina Department of Public Safety.

Commissioner Leake removed this item from Consent for more public awareness.

ADJOURNMENT

Motion was made by Commissioner Clarke, seconded by Commissioner Leake and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, that there being no further business to come before the Board that the meeting be adjourned at 9:36 p.m.

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Janice S. Paige, Clerk

Ella B. Scarborough, Chair